

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TYRELL KNIGHT,

Plaintiff,

v.

RAYMOND EDELMAN, sued in
both their individual and official
capacities, UNKNOWN
NOORDHOCK, Corporal, sued in
both their individual and official
capacities, CALVIN HAYWOOD,
sued in both their individual and
official capacities, and UNKNOWN
PIPER, Sergeant, sued in both their
individual and official capacities,
Defendants.

4:06CV3065

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On January 28, 2008, this court entered an order noting that Plaintiff had been released from custody and requiring Plaintiff to file a new application to proceed in forma pauperis. (Filing No. 50.) In its January 28, 2008 Order, the court warned Plaintiff that failure to file a new application to proceed in forma pauperis by February 28, 2008 would result in dismissal of this case without further notice. (*Id.*)

Plaintiff has not filed a new application to proceed in forma pauperis in this matter or taken any other action. Plaintiff's Complaint must therefore be dismissed.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Complaint is dismissed without prejudice for failure to prosecute his claims diligently.

2. A separate judgment will be entered in accordance with this memorandum and order.

March 6, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge